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EXHIBIT 1

CONFIDENTIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

KELLY WILSON,) No.
) 3:14-CV-01441-VC
Plaintiff,)
)
vs.)
)
THE WALT DISNEY COMPANY,)
DISNEY ENTERPRISES, INC.,)
WALT DISNEY PICTURES, and)
WALT DISNEY MOTION PICTURES)
GROUP, INC.,)
)
Defendant.)
_____)

DEPOSITION OF JAMES MCDONALD
Los Angeles, California
Wednesday, February 25, 2015
Volume I

Reported by:
ROCHELLE HOLMES
CSR No. 9482
Job No. 2021493
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2 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
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4 KELLY WILSON,) No.
5) 3:14-CV-01441-VC
6 Plaintiff,)
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8 vs.)
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10 THE WALT DISNEY COMPANY,)
DISNEY ENTERPRISES, INC.,)
11 WALT DISNEY PICTURES, and)
12 WALT DISNEY MOTION PICTURES)
13 GROUP, INC.,)
14 Defendant.)
15 _____)

16 Deposition of JAMES MCDONALD, taken on behalf of
17 Plaintiff, at 6701 Center Drive West, Suite 1400, Los
18 Angeles, California, beginning at 1:05 p.m. and ending
19 at 4:22 p.m. on Wednesday, February 25, 2015, before
20 ROCHELLE HOLMES, Certified Shorthand Reporter No. 9482,
21 Certified Realtime Reporter No. 0123.
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23
24
25

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1 THE WITNESS: I feel that I am an expert when it
2 comes to writer credit determination issues and writer
3 credit issues with regard to screenplays. I have spent
4 four decades analyzing and developing screenplays. I
5 have worked for every studio, several production
6 companies. I am consulted by writers when they are
7 developing screenplays. I have consulted with writers
8 in regard to arbitration with the WGAW. I have
9 consulted with studio executives on writer issues. And
10 I, over the last 23 years, I have done a forensic
11 analysis on the development process of well over 50, 60
12 animated films.

13 Q BY MR. GIGNAC: Okay. Do you consider yourself
14 to be an expert on the determination of whether a work
15 is an original piece of work?

16 MR. KLAUS: Object to the form of the question.

17 THE WITNESS: That is a very broad question. Will
18 you define "original" for me?

19 Q BY MR. GIGNAC: Let me ask you this. Do you
20 think that The Snowman created by Kelly Wilson is an
21 original work?

22 A Yes, it is an original work.

23 Q Okay. Do you consider yourself to be an expert
24 on the question of whether or not one work infringes
25 upon the copyright of another work?

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1 Q Is that or at least your involvement with that
2 company your chief vocation these days?

3 MR. KLAUS: Object to the form.

4 THE WITNESS: No.

5 Q BY MR. GIGNAC: What is your primary vocation?

6 A I do many things. But vocation, probably
7 writer credit evaluations that I'm doing. I also work
8 with producers. I have some deals that I'm working on.

9 Q Would it be fair to say that you spend the
10 majority of your time these days on the writer credit
11 issues?

12 A I think I said earlier it was 20 to 25 or
13 30 weeks a year is what I spend on that.

14 Q I may have missed that, and if so I apologize.
15 Anyway, we have it on the record now so we are
16 good to go.

17 A Okay.

18 Q Moving down to the next section, Story
19 Consultant, Expert Witness and Analyst. The first
20 company you list is The Walt Disney Corporation.

21 Do you see that, sir?

22 A Yes.

23 Q I know up in the producer section you referred
24 to it as Walt Disney Pictures, and in this section it's
25 Walt Disney Corporation. Are you intending to make a